HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.18054 of 1999

Dated 9th day of April, 2007

Between:

K.V. Rama Rao ..
Petitioner

And

The District Registrar & Licencing Authority
Vijayawada Registration District,
Kalanagar, Patamata, Vijayawada
and two others ..
Respondents

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O R D E R:

This writ petition is filed to quash the Proceedings dated 4.8.1999 issued by the 1st respondent.

The brief facts of the case are that the petitioner was granted Stamp Vendor Licence No.1/181 in the year 1981 by the 1st respondent for selling stamps at Mylavaram in Krishna District. As the petitioner's licence was expired on 31.12.1998, the 1st respondent issued a Charge Memo dated 5.12.1998 to him calling for his explanation to show cause as to why disciplinary action should not be taken against him on the ground that he failed to get his licence renewed. Then, the petitioner made a representation to the 1st respondent requesting to supply Stamps Sales Registers to enable him to submit his explanation. Now, the grievance of the petitioner is that 1st respondent, neither supplying Stamps Sales Registers nor giving any notice to him, issued the impugned proceedings cancelling his Stamp Vendor Licence No.1/81.

Heard the learned counsel for both the parties.

This Court, on 17.9.1999, while ordering Rule Nisi directed the respondents to renew the licence of the petitioner pending further orders.

Evidently, as the proceedings, cancelling the petitioner's licence as Stamp Vendor was not preceded with any notice, this Court is of the view that the action of the 1st respondent can definitely be said to be in violation of principles of natural justice. Hence, the proceedings, dated 4.8.1999 issued by the 1st respondent are liable to set aside.

In the result, the writ petition is allowed setting aside the impugned proceedings. However, it is made clear that if the respondents, particularly the 1st respondent wants to initiate any action, he is at liberty to do so only after causing service of notice to the petitioner calling for his explanation. No costs.

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09.04.2007

bcj